



UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management

Gunnison Field Office
650 S 11th St.
Gunnison, CO 81230
(970) 642-4940



March 30, 2011

In Reply Refer To:
CO-160 4190.1
Allotment #06202

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

NOTICE OF PROPOSED DECISION

It is my proposed decision to issue two permits authorizing livestock grazing on the Stevens Creek (06202) Allotment for a period of 10 years. This decision will continue implementation of the grazing management defined in the Memorandum of Understanding (MOU) between the Bureau of Land Management (BLM) Gunnison Field Office (GFO) and Colorado Division of Wildlife (CDOW) Gunnison Service Center dated July 31, 2002 for the Stevens Creek Common Allotment #06202. This agreement addresses management of both federal public lands, and CDOW lands within the Centennial State Wildlife Area and a portion of the Sapinero State Wildlife Area.

The permits will include the following terms and conditions, goals, and objectives to achieve allotment specific objectives, that will, 1) meet the Gunnison Resource Area Resource Management Plan (RMP) objectives, and 2) achieve or make significant progress towards achieving the Standards for Public Land Health in Colorado and comply with the Guidelines for Livestock Grazing Management in Colorado, in conformance with the Fundamentals of Rangeland Health (43 CFR 4180.1) and Standards and Guidelines (43 CFR 4180.2). The Proposed Action has been reviewed for consistency and conformance with the land use plan and compliance with the National Environmental Policy Act. A copy of Environmental Assessment # DOI-BLM-COS060-2009-0006- EA is attached.

Terms and Conditions

Stevens Creek Allotment #06202

Authorization	Livestock Numbers	Kind*	Season of Use	AUMs
0500234	360	Cattle	May 22 – June 10	237 AUMs
	360	Cattle	October 16 – 22	83 AUMs
0501946	149	Cattle	May 22 – June 10	98 AUMs
Total:				418 AUMs

*Both permittees have the option of running yearling cattle instead of cow/calf pairs, at a conversion ratio of .8 pairs to 1 yearling.

1. Authorization #0500234: The 5-22 to 6-10 (20 days) grazing use will occur primarily in the Sapinero State Wildlife Area and Dry Creek Pasture. This permit's seven day fall trailing (10-16 to 10-22) will be split between Dry Creek/Sapinero and North Stevens Creek/Centennial Pastures. Any cattle that come through North Willow Creek in the fall must be escorted through by the permittee to avoid any significant grazing use. Allocation levels provide flexibility from year to year on how many days are spent in each pasture based upon forage conditions. In general, management will be to graze the Sapinero State Wildlife Area for a week and the larger Dry Creek Pasture for two weeks; however, this may vary based upon such factors as drought or previous year's management (compensatory management).

2. Authorization #0501946: The 5-22 to 6-10 (20 days) grazing use will occur primarily in the Centennial State Wildlife Area and North Stevens Creek Pasture. This permit will be allowed to graze these pastures in the Stevens Creek Allotment every fourth year following 3 years of rest. Allocation levels provide flexibility from year to year on how many days are spent in each pasture based upon forage conditions. In general, management will be to graze the Centennial Wildlife Area for a week and the North Stevens Creek Pasture for two weeks; however, this may vary based upon such factors as drought or previous year's management (compensatory management).

3. At a minimum, the North Willow Creek Pasture will not be grazed until this riparian area has recovered sufficiently to permit livestock use as required by the RMP. Although BLM may choose to graze this pasture in the future as part of a treatment or adjustment in management, it is anticipated that due to the logistical aspects of grazing management (topography etc.) and management objectives that this pasture will remain largely ungrazed.

4. Pasture moves will be based upon use level objectives or the off date, whichever comes first. Actual dates, numbers of livestock, and corresponding AUMs consumed will be within the permitted use for each permittee and will be specifically defined in a yearly annual operating plan which will be provided to both the permittee and CDOW at an annual preturnout meeting.

5. Livestock use rates will be as follows:

a. Total utilization of key herbaceous forage species within all riparian zones will be limited to 41-60% of the current year's growth, with a 2 ½ inch minimum stubble height maintained throughout the grazing season. These limits are needed to provide a minimum of plant residue to trap sediment during high flows, to buffer or reduce the energy of high flows and to protect stream banks.

b. Uplands will not exceed a utilization level of 41-60% of the current year's growth for available key forage during the grazing period of use.

c. Use limits for livestock within important sage grouse nesting and early brood rearing habitat will be as follows:

-Between March 15 and September 28, the grass droop height in the upland areas of a pasture will be 4-6 inches or greater (current year's growth). This applies to big sagebrush communities below 9200 feet and within 4 miles of a lek with understories dominated by herbaceous vegetation that has the potential to grow to 6 inches or greater.

d. Use limits for livestock within important sage grouse brood rearing habitat will be as follows:

- For riparian areas within 4 miles of a sage grouse lek, between June 15 and August 30,

the stubble height of herbaceous vegetation in all riparian areas will be a minimum of 4-inches over 80% of each riparian area within a pasture. At all other times a minimum 2.5-inch stubble height will be maintained over 80% of the riparian area within each pasture throughout the period of use.

In situations where residual vegetation is not meeting the use objectives during/following livestock grazing, the potential of the area to achieve the resource and livestock use objectives will be determined prior to taking any permanent adverse actions against the livestock grazing permit.

6. Grazing use will be in conformance with Canada lynx habitat standards:

1. Do not allow livestock use in openings created by fire or timber harvest that would delay successful regeneration of the shrub and tree components.
2. Manage grazing in aspen stands to ensure sprouting and sprout survival sufficient to perpetuate the long-term viability of the clones.
3. Within the elevational ranges that encompass forested lynx habitat, shrub-steppe habitats should be considered as integral to the lynx habitat matrix and should be managed to maintain or achieve mid-seral or higher condition.
4. Within lynx habitat, manage livestock grazing in riparian areas and willow carrs to maintain or achieve mid-seral or higher condition to provide cover and forage for prey species.

7. Grazing use for the allotment will be in compliance with the Gunnison Resource Area RMP, which was amended to adopt the Colorado Standards for Public Land Health and Guidelines for Livestock in Colorado.

8. Any objects or sites of cultural or paleontological value, such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged or disturbed. If any such resources are encountered, the permittee shall notify BLM immediately.

9. Salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or temporary or permanent watering facility. Excess salt and/or mineral sources will be removed from the allotment following grazing use each year.

10. Temporary water hauling site locations shall be coordinated with the BLM. Troughs associated with these sites must have a wildlife escape ramp. To prevent wildlife deaths, these troughs must be removed or turned over each year when they are no longer needed for livestock grazing use.

11. All range improvements for which the permittee has maintenance responsibility, including fences, troughs, and reservoirs, must be properly maintained prior to livestock turnout. The permittee must notify the BLM prior to beginning any maintenance activities that require the use of heavy equipment, such as tractors, backhoes, or graders. Allotment boundary fences for which the permittee has maintenance responsibility must be maintained every year, even if the allotment is being rested.

Stevens Creek Allotment Range Improvements

Project		Location				Maintenance Responsibility
Name	Number	Township	Range	Section	Subdivision	
Guerrieri Stock Pond #2	231551	49 N	3 W	2	SESW	Permittee
Stevens Creek Corral	234303	49 N	2 W	30	SWNW	Permittee
Stevens Creek Fence	234618	49 N	3 W	26	SWNW	Permittee
Guerrieri Stock Pond #1	234923	49 N	3 W	2	NESENE	Permittee
Field Stockpond #1	238204	49 N	3 W	12	NWSW	Permittee
Haystack Spring #2	238209	49 N	3 W	26	SWNW	Permittee
Sapinero Spring #1	234507	48 N	2 W	24	SESE	Permittee
Rainbow Fence	234509	48 N	2 W	22	NWNE	Permittee
Sapinero Spring #13	235086	49 N	2 W	5	NENW	Permittee
Sapinero Spring #14	235087	49 N	2 W	5	NWSW	Permittee
Sapinero Spring #16	235089	49 N	2 W	5	SWSW	Permittee
Sapinero Spring #17	235090	49 N	2 W	6	NENE	Permittee
Sapinero Spring #18	235091	49 N	2 W	6	SENE	Permittee
Sapinero Spring #19	235092	49 N	2 W	8	SWSE	Permittee
Sapinero Spring #20	235093	49 N	2 W	9	SESW	Permittee

Stevens Creek Allotment Range Improvements (Continued)

Project		Location				Maintenance Responsibility
Name	Number	Township	Range	Section	Subdivision	
Sapinero Spring #21	235094	49 N	2 W	9	SWNW	Permittee
Stevens Creek Spring	235312	49 N	2 W	8	NWNW	Permittee
Sapinero Spring #1	234226	49 N	3 W	2	NWSE	BLM
Sapinero Spring #5	235078	49 N	3 W	13	SWNE	BLM
Sapinero Spring #6	235079	49 N	3 W	13	SENE	BLM
Sapinero Spring #7	235080	49 N	3 W	23	NESW	BLM
Sapinero Spring #8	235081	49 N	3 W	24	SESE	BLM
Sapinero Spring #10	235083	49 N	3 W	25	NWNE	BLM
Sapinero Spring #11	235084	49 N	3 W	26	SWNE	BLM
Sapinero Spring #12	235085	49 N	3 W	26	SENE	BLM
Sapinero Spring #15	235088	49 N	2 W	5	NESE	BLM
Sapinero Spring #24	235097	49 N	2 W	10	NWSE	BLM
Sapinero Spring #25	235098	49 N	2 W	10	SESE	BLM
Sapinero Spring #27	235100	49 N	2 W	19	NWNW	BLM
Sapinero Spring #29	235102	49 N	2 W	23	NWNW	BLM
Sapinero Spring #30	235103	49 N	2 W	23	NWNE	BLM

Stevens Creek Allotment Range Improvements (Continued)

Project		Location				Maintenance Responsibility
Name	Number	Township	Range	Section	Subdivision	
Finger Mesa Spring #1	235313	49 N	2 W	8	NWNE	BLM
Finger Mesa Spring #2	235314	49 N	2 W	8	NESE	BLM
Sapinero Check Dam #2	235075	49 N	3 W	2	SESE	BLM
Sapinero Check Dam #3	235076	49 N	3 W	11	SWSE	BLM
Centennial Fence	238095	49 N	2 W	10	SESW	BLM

12. The permittee shall provide the Bureau of Land Management with reasonable administrative access across private and leased lands for the orderly management and protection of the public lands.

13. When poisonous plants are identified as a threat to livestock, management actions to avoid grazing the area during the problem period will be developed. Infestations of noxious weeds will be incorporated into the Field Office noxious weed control program as they are identified.

Allotment Goal

The Stevens Creek Allotment will be managed to provide for a maximum achievable diversity and production of biological resources to improve and sustain habitat for wildlife, to help sustain the economic stability of the permittees, and to allow for quality opportunities for public land users while achieving or making significant progress toward achieving BLM's Standards for Public Land Health in Colorado and conformance to BLM's Guidelines for Livestock Management in Colorado.

Allotment Objectives**a. Native Uplands**

The management objective for native upland vegetation on the Stevens Creek Allotment is to maintain or improve the vigor, production and diversity of desirable plants to support a variety of resource uses, including, but not limited to livestock grazing, wildlife habitat, and recreation. Native upland sites will be managed to achieve and maintain basal cover values which are equal to or greater than those listed for the slightly/moderately accelerated erosion threshold as described in the Montrose District Soil Erosion Monitoring Guidelines for each ecological site.

b. Riparian Areas

Riparian areas will be managed to maintain or achieve a mid-seral or later stage of ecological succession and to provide adequate herbaceous plant residue on stream banks and flood plains during seasons when high flows are likely.

Monitoring/Evaluation

The BLM will be responsible for implementing the following monitoring/evaluation requirements:

The monitoring program will include appropriate consultation, cooperation and coordination with the rangeland users, other agencies, and interested publics. Close coordination between the permittees or their representatives, the Colorado Division of Wildlife, the National Park Service, and the BLM of all livestock related field monitoring is essential to determine conformity with the terms and conditions of the permits.

Sufficient monitoring data will be collected to determine if management actions are, 1) contributing to the achievement of allotment objectives and the Gunnison Resource Area Resource Management Plan (RMP) management objectives, 2) achieving or making significant progress toward achieving the Standards for Public Land Health in Colorado and conforming to the Colorado Livestock Grazing Management Guidelines.

The intensity and frequency of additional monitoring done on the allotments will be dependent on annual funding allocations and work priorities established for the Gunnison Field Office. Monitoring priorities for the allotment will be determined annually. Guidance provided in BLM Technical References, BLM Manuals, the Gunnison Resource Area Rangeland Monitoring Plan, will be the basis for monitoring/inventory conducted on the allotment. Other appropriate guidance documentation will be considered when establishing, collecting and evaluating data.

Monitoring will include both short-term and long-term studies. Short-term monitoring will include compliance monitoring, actual use data, range readiness when necessary through a joint field inspection with the BLM and the permittees, utilization studies on riparian areas and uplands as well as climate and soil moisture data. Long term monitoring will document and measure trends toward or achievement of objectives over a period of years.

Evaluations may be conducted anytime during the implementation of this proposed action if monitoring data and/or other data support changes to the allotment objectives, management actions or annual permitted use.

Protest/Appeal Rights

With this decision you have a right to protest and appeal. If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days from receipt of this notice within which to file such a protest with the Field Manager at the address given above. A protest may be made either in person or in writing to the Field Manager and shall specify the reasons why you think the proposed decision is in error.

If a protest is filed within the time allowed, the protest statement of reasons and other pertinent information will be considered and a final decision will be issued with a right of appeal as defined in 43 CFR 4160.3 and 4160.4.

In the absence of a protest within the time allowed, the above proposed decision shall constitute my final decision. Should this notice become the final decision and you wish to appeal for the purpose of a hearing before an Administrative Law Judge (43 CFR 4160.4 and 4.470), you are allowed 30 days from the date this decision becomes my final decision within which to file such an appeal at the address given above. The appeal shall state clearly and concisely why you think the decision is in error.

To receive consideration on staying implementation of the Final Decision, you must file a petition to stay which clearly states your reason(s) why this decision should not become effective on the date indicated. The petition to stay must be filed with the appeal and sent to the Field Manager at the address given above. Your petition to stay our decision must address the following:

- i. The relative harm to the parties if the stay is granted or denied;
- ii. The likelihood of the appellant's success on the merits;
- iii. The likelihood of immediate and irreparable harm if the stay is not granted; and
- iv. Whether the public interest favors granting the stay.

If you have any questions, please feel free to contact me or Tara de Valois at (970)642-4940 or stop by our office in Gunnison. Thank you for your continuing cooperation.

Sincerely,

/s/ Brian St. George

Brian St. George
Gunnison Field Manager

Enclosure: Environmental Assessment # DOI-BLM-COS060-2009-0006- EA

cc:

Gunnison County Stockgrowers
c/o Allen Roper
P.O. Box 1711
Gunnison, CO 81230

Rocky Mountain Resource Management Services
c/o Mike and Chris Henkel
P.O. Box 1832
Gunnison, CO 81230

Colorado Division of Wildlife
c/o Jay Wenum
300 W. New York Avenue
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Black Canyon of the Gunnison National Park
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102 Elk Creek
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